

REMARKS

Claims 1-17 and 47 are pending in the present application. Claims 1-17 have been rejected by the Examiner. By this response, claim 1 has been amended, and new claim 47 has been added.

The Applicant refers back to the remarks filed on August 1, 2007, and incorporates them by reference in the interests of brevity. The Applicant maintains those arguments are correct and show a distinction between the pending claims and the cited art of record. However, the Applicant provides some additional comments herein in hopes of clarification for the Examiner.

Claims 1-12, 14 and 17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Wong (U.S. Patent N. 6,260,021) in view of Moshfeghi (U.S. Patent No. 6,076,166) and Hu (U.S. Patent Publication No. 2003/0126279).

As previously discussed, Wong is actually *focused* on a broker-based system, building a foundation upon the established CORBA (Common Object Request **Broker** Architecture). See, e.g., throughout the Wong reference including Abstract, Figures 1-4, col. 6, lines 11-60, col. 7, line 38 – col. 8, line 52, col. 9, line 38 – col. 10, line 47, etc. Wong uses a series of distributed *broker* components “in enabling the other objects of the system to make requests and receive responses in a distributed environment.” See, e.g., col. 9, lines 38-41. Wong further specifies that the *broker* handles negotiation between communication protocols, network structures, etc., so that “objects do not need to be aware of any communication details or network structure.” See, e.g., col. 9, lines 43-45.

Using broker-based CORBA interface engines CIIIE and CRIIE, Wong uses a heavily broker-based distributed architecture for medical image distribution.

Moshfeghi similarly focuses on a distributed system allowing personalized web access. Computer-based patient records may be retrieved based on certain rules from one or more of a PACS database, a HIS data, a RIS database, etc. Moshfeghi specifies that all of these databases are capable of being searched, filtered and processed but does not specify that multiple databases are contained in one database. See, e.g., Figure 1 and col. 2, lines 49-54. In fact, the distributed emphasis of Moshfeghi and specific reference to databases 24 on the server 12 and other databases 30 external to but accessible by the server 12 in the distributed network 10 suggests that the RIS and PACS databases of Moshfeghi, assuming an embodiment where both are present, *do not in fact* reside on a database server. Additionally, as pointed out by the Examiner, Moshfeghi, like Wong, fails to disclose a brokerless interface.

Hu again relates to a distributed PACS system. See, e.g., para. [0015]. In Hu, each modality has its own intranet. See, e.g., para. [0058]. When medical image data is generated for a modality, the data is automatically distributed to all image diagnostic systems 101, 102, 103 for that modality 301. See, e.g., para. [0058]. Hu utilizes a coordinator 501 to coordinate data transfer between image diagnostic systems 101, 102, 103 attached to various intranets as well as a central archiving system. See, e.g., para. [0058]. In order to handle these disparate and distinctly located systems, such as general-IDS, key-IDS, and a central archiving system, the coordinator 501 *coordinates or brokers* the various communication requirements and network structure to allow these various, mixed systems to interface without manual, user intervention. See, e.g., para.

[0061]. A broker, needed in such situations, translates from one communication format to another, for example.

In contrast, the systems of the presently pending claims recite RIS and PACS databases *jointly residing* on a database server in an *integrated*, rather than distributed, RIS-PACS system environment. In the claimed apparatus, RIS and PACS functions are allowed to directly access each other at the database level. When the systems interface in this integrated system, no translation or broker is needed (hence the *brokerless* interface).

Combining the three references each dealing with a distributed system in network communication fails to reasonably disclose an integrated RIS-PACS database environment on a database server. Additionally, combining three heavily broker-bases systems fails to disclose a brokerless interface, let alone a brokerless interface between integrated database components. As the Examiner can see, the disclosure of the cited art is clearly distinct and inapposite of the presently pending claims.

With respect to the dependent claims, the reasons described above with respect to independent claim 1 also apply to dependent claims 2-17. Additionally, for example, none of the cited references disclose a system in which operation can be configured in any one of three modes including RIS only, PACS only, and fully integrated RIS-PACS. Dependent claims 6 and 7 reflect some of these configurations and are not disclosed by the cited art of record. New independent claim 47 has also been added to reflect these various configurations in the brokerless environment of claim 1.

For at least these reasons, claims 1-17 and 47 of the present application should be allowable over the cited art of record. Since these reasons and the minor clarifying amendments are a continuation of, and inline with, the previous discussion and are

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merely summarizing and hopefully clarifying the already-discussed distinctions for the Examiner, the Applicant submits that these comments do not necessitate a new search and requests allowance of the pending claims.

Claims 13 and 16 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Wong, Moshfeghi, and Hu further in view of Crane (U.S. Patent No. 5,748,907). Crane discloses neither a PACS nor a RIS. Further, Crane discloses nothing regarding a database engine providing a brokerless interface between a PACS and a RIS. Thus, the disclosure of Crane does nothing to cure the deficiencies of Wong, Moshfeghi, and Hu with respect to independent claim 1, from which claims 13 and 16 depend. Therefore, the Applicant respectfully submits that claims 13 and 16 should also be allowable over the cited art of record.

Claim 15 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Wong, Moshfeghi, and Hu further in view of Segal (U.S. Pat. Pub. No. 2001/0041991A1). However, Segal does not disclose a system with both a PACS and a RIS. Further, Segal discloses nothing regarding a database engine providing a brokerless interface between a PACS and a RIS. Thus, the disclosure of Segal also does nothing to cure the deficiencies of Wong, Moshfeghi, and Hu with respect to independent claim 1, from which claim 15 depends. Therefore, the Applicant respectfully submits that claim 15 should also be allowable over the cited art of record.

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The Applicant submits that the claims of the present application define allowable subject matter. If the Examiner has any questions or if the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below. The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of GEMS-IT, Account No. 502401.

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Date: January 18, 2008

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